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PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

27 PLUS
DISK

Application Number

10/068,471

Filing Date

February 4, 2002

First Named Inventor

Malcolm Lovell HANDEL

Group Art Unit

1646

Examiner Name

To Be Assigned

Attorney Docket No.

529282000400

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form – in duplicate

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declarations

☒ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☒ Response to Missing Parts/
Incomplete Application

☒ Response to Missing Parts
under 37 CFR 1.52 or 1.53 –
copy of Notice attached - 2
pages

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☒ Power of Attorney – 3 pages,
Revocation, Change of
Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify
below):

* Executed Declaration (2 pages)

* Statement under 37 CFR 3.73(b) with copy of
Assignment attached (4 pages total)

* Statement to Support Filing and Submission in
Accordance with 37 CFR 1.821-1.825 (2 pages)

* CRF of Sequence Listing

* Paper Copy of Sequence Listing (10 pages)

* Return receipt postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304

or

Individual Name

Gladys H. Monroy

Signature

Gladys H. Monroy

Date

October 29, 2002

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL 569 250 973 US

Date of Deposit: October 29, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Tamara Alcaraz
Tamara Alcaraz

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



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PTO/SB/17 (09-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL FOR FY 2002

Patent fees are subject to annual revision.

Complete if Known

| | |
|----------------------|-----------------------|
| Application Number | 10/068,471 |
| Filing Date | February 4, 2002 |
| First Named Inventor | Malcolm Lovell HANDEL |
| Examiner Name | To Be Assigned |
| Group Art Unit | 1646 |
| Attorney Docket No. | 529282000400 |

TOTAL AMOUNT OF PAYMENT

(\$4514

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

03-1952

Deposit
Account
Name

Morrison & Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|-------------|
| 1001 | 740 | 201 | 370 | Utility filing fee | 740 |
| 1002 | 330 | 206 | 165 | Design filing fee | |
| 1003 | 510 | 207 | 255 | Plant filing fee | |
| 1004 | 740 | 208 | 370 | Reissue filing fee | |
| 1005 | 160 | 214 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$740

2. EXTRA CLAIM FEES

| | Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|----------------------|-----------------------|----------------------|-----------------------|-----------------|-------------|
| Total Claims | 98 | -20** = | 78 | x | 18 | = \$1404 |
| Independent Claims | 1 | -3** = | 0 | x | 84 | = \$0 |

Multiple Dependent

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|---|-------------|
| 1202 | 18 | 203 | 9 | Claims in excess of 20 | |
| 1201 | 84 | 202 | 42 | Independent claims in excess of 3 | |
| 1203 | 280 | 204 | 140 | Multiple dependent claims, if not paid | |
| 1204 | 84 | 209 | 42 | **Reissue independent claims over original patent | |
| 1205 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2) (\$1684

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|--|----------|
| 1051 | 130 | 205 | 65 | Surcharge - late filing fee or oath | 130 |
| 1052 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 139 | 130 | Non-English specification | |
| 1812 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 215 | 55 | Extension for reply within first month | |
| 1252 | 400 | 216 | 200 | Extension for reply within second month | |
| 1253 | 920 | 217 | 460 | Extension for reply within third month | |
| 1254 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 1255 | 1,960 | 228 | 980 | Extension for reply within fifth month | 1960 |
| 1401 | 320 | 219 | 160 | Notice of Appeal | |
| 1402 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 221 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 1501 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 1502 | 460 | 243 | 230 | Design issue fee | |
| 1503 | 620 | 244 | 310 | Plant issue fee | |
| 1460 | 130 | 122 | 130 | Petitions of the Commissioner | |
| 1807 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 1806 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 581 | 40 | Recording each patent assignment per properties (times number of properties) | |
| 1809 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

Complete (if applicable)

SUBTOTAL (3) (\$2090

SUBMITTED BY

| | | | | | |
|-------------------|----------------------|--------------------------------------|------------------|-----------|----------------|
| Name (Print/Type) | Gladys H. Monroy | Registration No. (Attorney/Agent) | 32,430 | Telephone | (650) 813-5711 |
| Signature | <i>Gladys Monroy</i> | Date | October 29, 2002 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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pa-739686

10-31-02
gw

Page 1 of 2 \$MP
#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/068,471 | 02/04/2002 | Malcolm Lovell Handel | 27340-20033.00 |

Gladys H. Monroy
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, CA 94304



CONFIRMATION NO. 7001
FORMALITIES LETTER



OC000000007767172

Date Mailed: 04/02/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/01/2002 RHARIS1 00000048 031952 10068471

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 740.00 CH
02 FC:1202 1404.00 CH
03 FC:1203 280.00 CH
04 FC:1051 130.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1684.
 - \$1404 for 78 total claims over 20.
 - \$280 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2554.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file

in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



#4

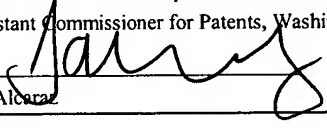
PATENT
Docket No. 529282000400

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL 569 250 973 US

Date of Deposit: October 29, 2002

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Tamara Alcoraz**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Malcolm L. HANDEL et al.

Serial No.: 10/068,471

Filing Date: February 4, 2002

For: TREATMENT OF INFLAMMATORY
AND MALIGNANT DISEASES

Examiner: To Be Assigned

Group Art Unit: 1646

**STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825**

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is being submitted in response to the Notice to File Missing Parts of Nonprovisional Application. The undersigned hereby states that the content of the attached papers and the computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same.

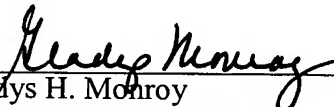
In the unlikely event that the Patent Office determines that an extension and/or other relief is required as a result of this statement, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions

and/or other fees due to our Deposit account no. 03-1952. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: October 29, 2002

By:


Gladys H. Monroy
Registration No. 32,430

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Palo Alto, California 94304-1018
Telephone: (650) 813-5711
Facsimile: (650) 494-0792